

WWR # 10005316

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DIVISION OF OHIO
EASTERN DIVISION**

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE OF ARGENT
MORTGAGE SECURITIES, INC. ASSET-
BACKED PASS -THROUGH
CERTIFICATES, SERIES 2006-W4 UNDER
THE POOLING AND SERVICING
AGREEMENT DATED AS OF APRIL 1,
2006, ASSIGNEE OF ARGENT
MORTGAGE COMPANY , LLC
10801 6TH STREET, SUITE 130
RANCHO CUCAMONGA, CA 91730

Plaintiff

vs.

CAROL A. MOORE
P. O. BOX 15193
CLEVELAND, OH 44115

JOHN DOE, UNKNOWN SPOUSE OF
CAROL A. MOORE
P. O. BOX 15193
CLEVELAND, OH 44115

STATE OF OHIO DEPARTMENT OF
TAXATION
150 E. GAY STREET, 21ST FLOOR
COLUMBUS, OHIO 43215

Defendants

CASE NO.

JUDGE:

**COMPLAINT FOR MONEY AND
FORECLOSURE**

Jurisdiction and Venue

1. Jurisdiction is founded on 28 U.S.C. § 1332(A)(1). The citizenship of the parties is diverse and the amount in controversy exceeds the jurisdictional requirement. Plaintiff is a

California Corporation, with its principal place of business in Orange County. Defendants, Carol A. Moore is citizens of the State of Ohio. Defendant, State of Ohio, Department of Taxation is a State of Ohio governmental agency. Venue is proper in the Northern District of Ohio, Eastern Division, as the real property which is the subject of this action is locate in this district.

FIRST CLAIM

1. Plaintiff is the owner and holder of a Promissory Note, executed by Defendant, Carol A. Moore, on or about March 8, 2006, a copy of which is attached hereto, as "Exhibit A"; that by reason of default in the terms of said Promissory Note and the Mortgage securing same, it has declared said indebtedness due; that there is due and owing thereon the principal balance of \$77,181.38 plus interest at 8.00 % (variable) per annum from March 1, 2007 plus late charges.

SECOND CLAIM

2. Plaintiff incorporates herein by reference all of the foregoing and further states that it is the holder of a certain Mortgage Deed executed by Defendant, Carol A. Moore, unmarried, securing payment of the previously identified Note and that the Mortgage is subject to unpaid real estate taxes and/or assessments, and said Mortgage, a copy of which is attached hereto and marked as "Exhibit B", constitutes a first and best lien upon the real estate described therein, which the Defendant at time was owner of the property, however, said property is now currently titled to Carol A. Moore.

3. Plaintiff further states that said Mortgage was duly filed for record on or about March 8, 2006 and recorded as Instrument number 200603080522 of the Cuyahoga County, Ohio Records, and that the conditions and terms of said Mortgage have been broken and that the Plaintiff is entitled to have said Mortgage foreclosed.

4. The conditions of said Mortgage have been broken and the same has become absolute.

5. Pursuant to the covenants and conditions of said Mortgage, Plaintiff may, from time to time prior to or during the pendency of this action, advance funds to pay real estate taxes, hazard insurance premiums and or property protection

6. The Defendants named herein have or may claim to have interests in said premises.

7. Plaintiff further states that the Defendant, State of Ohio Department of Taxation, has or may claim an interest in the subject real estate by virtue of State Tax Lien filed of record on or about February 22, 2007 on Docket JL07287846 of the Cuyahoga County Common Pleas Court.

8. Plaintiff further states that the Defendant, John Doe, Unknown Spouse of Carol A. Moore, has or may claim an interest in the real property described in Plaintiff's mortgage by virtue of dower. The name of John Doe, Unknown Spouse of Carol A. Moore could not be discovered by the Plaintiff.

WHEREFORE, Plaintiff demands Judgment against Defendant, Carol A. Moore, for the amount owing and costs; plus any amounts advanced to pay real estate taxes, hazard insurance premiums or for property protection, plus interest thereon from the dates of such advances; that it be found to have a first and best lien on the premises described herein for the amount owing together with its advances for taxes, hazard insurance premiums or for property protection, plus interest thereon; that all Defendants' equity of redemption be foreclosed; that all Defendants be required to assert their interests in said premises or be forever barred from asserting any interest therein; that all liens on said premises be marshaled and their priorities determined; that said

premises be sold as upon execution and the proceeds of said sale be applied according to law;
and such other relief as is just and equitable, and costs.

WELTMAN, WEINBERG & REIS CO., L.P.A.

/s/:Benjamin N. Hoen

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